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Attorneys for Nominal Defendant
Celera Corporation and Defendants
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Richard A. Ayers, Jean-Luc Bélingard,
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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re CELERA CORP. DERIVATIVE LITIG.

Case No. 10-cv-02935-EJD(HRL)

DERIVATIVE ACTION

This Document Relates To:

ALL ACTIONS

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

1 Pursuant to Civil L.R. 7-12, the parties, by and through their undersigned counsel of
2 record, submit the following stipulation and proposed order requesting that the case management
3 conference currently scheduled for December 2, 2011 be rescheduled to a date and time that is
4 convenient to the Court after the Court has ruled on defendants' pending motion to dismiss in the
5 related action entitled *In re Celera Corp. Securities Litigation*, Case No. 10-cv-2604-EJD (HRL)
6 (the "Securities Action"), currently pending before this Court.

7 WHEREAS, on August 11, 2010, the Court related the above-captioned action to the
8 action entitled *In re Celera Corp. Securities Litigation*, Case No. 10-cv-2604-EJD (HRL) (the
9 "Securities Action"), currently pending before this Court [Dkt. No. 7];

10 WHEREAS, pursuant to the August 11, 2010 order, the Court set a case management
11 conference for December 20, 2010 [Dkt. No. 7];

12 WHEREAS, pursuant to an order dated September 23, 2010, the Court rescheduled the
13 case management conference for November 15, 2010 [Dkt. No. 13];

14 WHEREAS, pursuant to the parties' stipulation, on November 10, 2010, the Court
15 rescheduled the case management conference for March 28, 2011 [Dkt. No. 25];

16 WHEREAS, on December 16, 2010, the Court vacated the March 28, 2011 case
17 management conference as premature [Dkt. No. 27];

18 WHEREAS, on April 22, 2011, Plaintiffs in the present action filed their Amended
19 Consolidated Verified Shareholder Derivative Complaint (the "Amended Complaint") against
20 nominal defendant Celera Corporation and certain of its current and former officers and directors
21 ("Defendants") [Dkt. No. 61];

22 WHEREAS, on April 25, 2011, this action was reassigned to the Honorable Edward J.
23 Davila [Dkt. No. 62];

24 WHEREAS, on May 10, 2011, the Court ordered the parties' stipulation in the present
25 action extending Defendants' time to answer, move, or otherwise respond to the Amended
26 Complaint until the Court resolves the defendants' motion to dismiss in the related Securities
27 Action [Dkt. No. 70];

1 WHEREAS, defendants' motion to dismiss the Securities Action has been taken under
2 submission by the Court [Dkt. No. 61];

3 WHEREAS, by Clerk's Notice entered on August 24, 2011 [Dkt. No. 73], a case
4 management conference in this action is currently scheduled for December 2, 2011;

5 WHEREAS, it would conserve judicial and party resources to hold the case management
6 conference in this action after the Court has decided the defendants' motion to dismiss the
7 Securities Action;

8 IT IS HEREBY STIPULATED AND AGREED, by the parties through their undersigned
9 counsel of record, subject to approval of the Court, as follows:

10 1. The case management conference currently scheduled for December 2, 2011, shall
11 be rescheduled to a date and time that is convenient to the Court after the Court has ruled on
12 defendants' pending motion to dismiss the Securities Action; and

13 2. The parties shall file a Joint Case Management Conference Statement ten days
14 prior to the conference.

1 Dated: November 22, 2011

MORRISON & FOERSTER LLP
JORDAN ETH
JUDSON LOBDELL

4 By: /s/ Judson Lobdell
Judson Lobdell

Attorneys for Nominal Defendant
Celera Corporation and Defendants
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Richard A. Ayers, Jean-Luc Bélingard,
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Gail K. Naughton, Wayne I. Roe, and
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10 Dated: November 22, 2011

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14 By: /s/ George C. Aguilar
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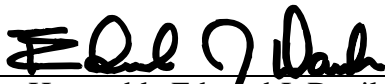
Co-Lead Counsel for Plaintiffs

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: November 23, 2011


Honorable Edward J. Davila
United States District Court Judge

1 I, Judson E. Lobdell, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Continuing Case Management Conference. In compliance with
3 General Order No. 45, X.B., I hereby attest that George Aguilar has concurred in this filing.
4

5 By: /s/ Judson Lobdell
6 Judson Lobdell
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